

City Council
Atlanta, Georgia

06- 0 -1793

AN ORDINANCE
BY: ZONING COMMITTEE

Z-05-52
Date Filed: 6-2-05

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at the following description:

Parcel referenced as **Northeast Beltline Parcel Four (Ponce de Leon Avenue to Freedom Parkway)**. Property begins at the southerly right of way of Ponce de Leon Avenue and encompasses the former Norfolk Southern Railroad tracks and right of way beginning at the former Norfolk Southern Railroad right of way and Ponce de Leon Avenue, crosses North Avenue and Ralph McGill Boulevard and concludes at the southerly right of way of Freedom Park.

be changed from the I-1 (Light Industrial) and (I-2) Districts to the MRC-3 (Mixed Residential Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lots 17 and 18, 14th and 17th Districts, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

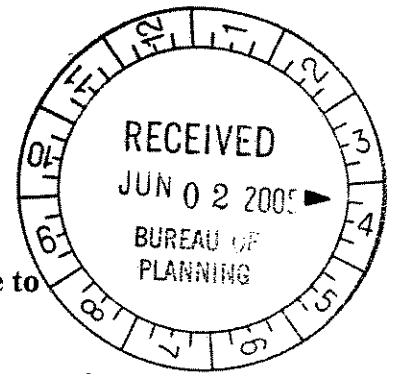
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

C-4

Northeast Beltline Parcel 4

**Legal Description
Norfolk Southern Railroad
Southern Right of Way of Ponce de Leon Avenue to
Southern Right of Way of Freedom Parkway**

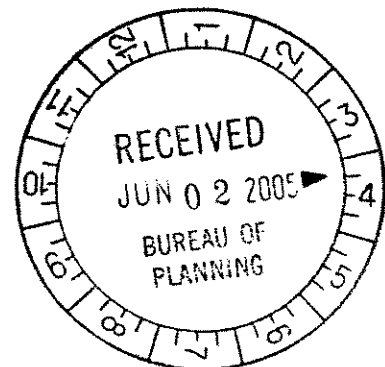


All that tract or parcel of land lying and being in Land Lots 17 and 18 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

2-05-52

BEGINNING at the intersection of the westerly right of way of Norfolk Southern Railroad and the southerly right of way of Ponce de Leon Avenue (Variable R/W); thence along said right of way of Ponce de Leon Avenue the following courses: along a curve to the left an arc distance of 90.36 feet (said curve having a radius of 441.20 feet; a chord distance of 90.20 feet and a chord bearing of North 76° 43' 52" East) to a point; thence North 72° 22' 29" East a distance of 9.83 feet to a point intersecting the easterly right of way of Norfolk Southern Railroad; thence along said right of way of Norfolk Southern Railroad the following courses: South 14° 27' 44" East a distance of 451.71 feet to a point; thence along a curve to the left an arc distance of 313.24 feet (said curve having a radius of 2763.72 feet; a chord distance of 313.08 feet and a chord bearing of South 20° 31' 29" East) to a point intersecting the northerly right of way of North Avenue (70' R/W); thence continuing along said right of way of Norfolk Southern Railroad and running South 51° 43' 37" East a distance of 106.74 feet to a point intersecting the southerly right of way of North Avenue; thence continuing along said right of way of Norfolk Southern Railroad the following courses: along a curve to the left an arc distance of 848.87 feet (said curve having a radius of 2713.72 feet; a chord distance of 845.41 feet and a chord bearing of South 33° 44' 21" East) to a point; thence South 43° 28' 57" East a distance of 525.59 feet to a point; thence South 46° 43' 18" West a distance of 30.23 feet to a point; thence South 43° 28' 57" East a distance of 149.62 feet to a point intersecting the northerly right of way of Ralph McGill Boulevard (70' R/W); thence continuing along said right of way of Norfolk Southern Railway and running South 43° 46' 06" East a distance of 74.04 feet to a point intersecting the southerly right of way of Ralph McGill Boulevard; thence continuing along said right of way of Norfolk Southern Railroad the following courses: South 43° 40' 00" East a distance of 34.71 feet to a point; thence along a curve to the right an arc distance of 258.08 feet (said curve having a radius of 1409.12 feet; a chord distance of 257.72 feet and a chord bearing of South 37° 44' 45" East) to a point; thence along a curve to the right an arc distance of 484.82 feet (said curve having a radius of 1441.87 feet; a chord distance of 482.53 feet and a chord bearing of South 23° 57' 12" East) to a R/W Monument found intersecting the northerly right of way Freedom Parkway (Variable R/W); thence continuing along said right of way of Norfolk Southern Railroad the following courses: along a curve to the right an arc distance of 525.06 feet (said curve having a radius of 1507.02 feet; a chord distance of 522.41 feet and a chord bearing of South 04° 06' 34" East) to a point; thence North 84° 55' 02" West a distance of 42.49 feet to a point; thence along a curve to the right an arc distance 109.79 feet (said curve having a radius of 1442.28 feet; a chord distance of 109.77 feet and a chord bearing of South 08° 19' 36" West) to a point intersecting the southerly right of way of Freedom Parkway; thence along said right of way of Freedom Parkway and running South 52° 26' 27" West a distance of 153.16 feet to a point intersecting the westerly right of way of Norfolk Southern Railroad; thence along said right of way of Norfolk Southern

Railroad and running along a curve to the left an arc distance of 452.01 feet (said curve having a radius of 1432.50 feet; a chord distance of 450.14 feet and a chord bearing of North 05° 31' 19" East); to a point intersecting the northerly right of way of Freedom Parkway; thence continuing along said right of way of Norfolk Southern Railroad the following courses: along a curve to the left an arc distance of 431.12 feet (said curve having a radius of 1367.02 feet; a chord distance of 429.34 feet and a chord bearing of North 13° 19' 23" West) to a flat iron found; thence along a curve to the left an arc distance of 319.89 feet (said curve having a radius of 1520.02 feet; a chord distance of 319.30 feet and a chord bearing of North 29° 13' 56" West) to a point; thence along a curve to the left an arc distance of 159.36 feet (said curve having a radius of 1060.12 feet; a chord distance of 159.21 feet and a chord bearing of North 39° 27' 51" West) to a point; thence North 43° 40' 00" West a distance of 87.00 feet to a point intersecting the southerly right of way of Ralph McGill Avenue (Variable R/W); thence continuing along said right of way of Norfolk Southern Railroad and running North 43° 38' 10" West a distance of 75.33 feet to a point intersecting the northerly right of way of Ralph McGill Boulevard; thence continuing along said right of way of Norfolk Southern Railroad the following courses: North 43° 28' 57" West a distance of 126.70 feet to a point; thence South 55° 33' 21" West a distance of 30.15 feet to a ½" rebar found; thence North 43° 28' 57" West a distance of 490.53 feet to a point; thence along a curve to the right an arc distance of 994.80 feet (said curve having a radius of 2913.71 feet; a chord distance of 989.98 feet and a chord bearing of North 32° 58' 27" West) to a point intersecting the southerly right of way of aforementioned North Avenue; thence continuing along said right of way of said Norfolk Southern Railroad and running North 18° 29' 20" East a distance of 75.08 feet to a point intersecting the northerly right of way of North Avenue; thence continuing along said right of way of Norfolk Southern Railroad the following courses: along a curve to the right an arc distance of 288.64 feet (said curve having a radius of 2863.72 feet; a chord distance of 288.52 feet and a chord bearing of North 20° 06' 56" West) to a point; thence North 14° 27' 44" West a distance of 455.48 feet to the POINT OF BEGINNING. Said tract containing 13.719 acres.



2-05-52